

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S098290

D034981 Fourth Appellate District,
Division One

PEOPLE v. SPARKS

Opinion modified - no change in judgment

The opinion filed in this matter on June 6, 2002, is modified as follows:

At pages 4-5, the text is revised to read (deletions are shown in strikethrough type):

"The Court of Appeal upheld defendant's conviction for forcible rape and the true finding that defendant personally used a deadly weapon in the commission of that crime, but in a split decision reversed the burglary conviction for instructional error, . . . "

The modification does not affect the judgment.

S106486

B133309 Second Appellate District,
Division Five

PEOPLE v. SMITH

Review granted/briefing deferred
(Rule 29.3) - criminal case

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Hernandez*, S105271 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Kennard, J., was absent and did not participate.

Votes: George, CJ., Baxter, Werdegarr, Chin, Brown and Moreno, JJ.

S106740

B110122 Second Appellate District,
B120896 Division Five

PEOPLE v. DU

Review granted/briefing deferred
(Rule 29.3) - criminal case

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Hernandez*, S105721

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

(see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Kennard, J., was absent and did not participate.

Votes: George, CJ., Baxter, Werdegarr, Chin, Brown and Moreno, JJ.

S106574

B155839 Second Appellate District,
Division Two

PEDERSON v. S.C. (PEOPLE)

Review granted; transferred to CA 2/2 to issue OSC

The matter is transferred to the Court of Appeal, Second Appellate District, Division Two, with directions to vacate its order denying mandate and to issue an order directing respondent superior court to show cause why the relief sought in the petition should not be granted.

Kennard, J., was absent and did not participate.

Votes: George, CJ., Baxter, Werdegarr, Chin, Brown & Moreno, JJ.

S106707

JENNINGS (MICHAEL) ON H.C.

OSC issued, returnable in Superior Court

The Director of the Probation Office of Sacramento County is ordered to show cause before the Court of Appeal, Third Appellate District, when the matter is ordered on calendar, why petitioner is not entitled to the relief requested. The return shall be filed on

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

or before July 30, 2002. (*In re Wallace* (1970)
3 Cal.3d 289, 292.)

Kennard, J., was absent and did not
participate.

Votes: George, CJ., Baxter, Chin, Brown and
Moreno, JJ.

S078210

D030638 Fourth Appellate District,
Division One.

PEOPLE v. ETHAN

Dismissed as improvidently granted, rule 29.4 (c)
Pursuant to rule 29.4(c), California Rules of
Court, the above-entitled review is
DISMISSED and cause is remanded to the
Court of Appeal, Fourth Appellate District,
Division One.

Kennard, J., was absent and did not
participate.

Votes: George, CJ., Baxter, Werdegarr, Chin
and Moreno, JJ.

S090802

E024795 Fourth Appellate District,
Division Two

PAUL v. COUNTY OF RIVERSIDE

Dismissed as improvidently granted, rule 29.4 (c)

Pursuant to rule 29.4(c), California Rules of
Court, the above-entitled review is
DISMISSED and cause is remanded to the
Court of Appeal, Fourth Appellate District,
Division Two.

Kennard, J., was absent and did not
participate.

Votes: George, CJ., Baxter, Werdegarr, Chin
and Moreno, JJ.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S092645

B145224 Second Appellate District,
Division Six

MUELDER v. S.C. (PEOPLE)

Dismissed as improvidently granted, rule 29.4 (c)

Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, Second Appellate District, Division Six.

Kennard, J., was absent and did not participate.

Votes: George, C.J., Baxter, Werdegar, Chin and Moreno, JJ.

S105292

VENTURA, COUNTY OF v. P.U.C.
(VALENCIA WATER)

Petition for writ of review denied

Kennard, J., was absent and did not participate.

S105521

B148565 Second Appellate District,
Division Seven

CITIZENS FOR FAIR TREATMENT v.
TIME WARNER

Petition for review & publication request denied

George, C.J., and Brown, were recused and did not participate.

Kennard, J., was absent and did not participate.

S105571

SIERRA CLUB v. P.U.C.
(VALENCIA WATER CO.)

Petition for writ of review denied

Kennard, J., was absent and did not participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S105572

A094820 First Appellate District,
Division Four

PROVIDIAN CREDIT CARD CASES

Petition for review denied

Kennard, J., was absent and did not
participate.

S105673

G030472 Fourth Appellate District,
Division Three

GOODIES CAFE v. S.C. (POTTS)

Petition for review denied

Kennard, J., was absent and did not
participate.

S105726

B144946 Second Appellate District,
Division Seven

HYLAND v. HUGHES AIRCRAFT

Petition for review denied

Kennard, J., was absent and did not
participate.

S105868

C036815 Third Appellate District

**CALIFORNIA, STATE OF v. LOCKHEED
MARTIN**

Petitions for review denied

Kennard, J., was absent and did not
participate.

S106011

A093061 First Appellate District,
Division Four

**LOCKHEED MARTIN v. W.C.A.B.
(MCCULLOGH)**

Petition for review denied

Chin, J., was recused and did not participate.
Kennard, J., was absent and did not
participate.

S106076

A097840 First Appellate District,
Division Four

**KERN COUNTY LAND COMPANY v. S.C.
(ADMIRAL INSURANCE CO.)**

Petition for review denied

Chin, J., was recused and did not participate.
Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106084

F036131 Fifth Appellate District

PEOPLE v. PADILLA

Petition for review denied

Kennard, J., was absent and did not
participate.

S106092B152326 Second Appellate District,
Division Eight

R. (AUSTIN), IN RE

Petition for review denied

Kennard, J., was absent and did not
participate.

S106107A091821 First Appellate District,
A096240 Division Five

PEOPLE v. LOLOHEA

Petition for review denied

Kennard, J., was absent and did not
participate.

S106113

F037352 Fifth Appellate District

PADILLA (JUAN MARTIN) ON H.C.

Petition for review denied

Kennard, J., was absent and did not
participate.

S106114D033853 Fourth Appellate District,
Division One

PEOPLE v. VASQUEZ

Petition for review denied

S106127

H018928 Sixth Appellate District

PEOPLE v. MORENO

Petition for review denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106172

C030529 Third Appellate District

PEOPLE v. FULCHAM

Petition for review denied

Kennard, J., was absent and did not participate.

Werdegar, J., is of the opinion the petition should be granted.

S106219B144966 Second Appellate District,
Division Seven

VSS SALES v. UNI-SEAL VALVE CO.

Petition for review denied

Kennard, J., was absent and did not participate.

S106305B145310 Second Appellate District,
Division Five

RASSIER, MARRIAGE OF

Petition for review denied

Kennard, J., was absent and did not participate.

S106311 L

F039100 Fifth Appellate District

L. (MARK), IN RE

Petition for review denied

Kennard, J., was absent and did not participate.

S106349A094298 First Appellate District,
Division Five

H. (MARIAH), IN RE

Petition for review denied

Kennard, J., was absent and did not participate.

S106370

H021090 Sixth Appellate District

PEOPLE v. NUEY

Petition for review denied

Kennard, J., was absent and did not participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106384

C035433 Third Appellate District

H. D. ARNAIZ LTD. v. COUNTY OF SAN
JOAQUIN

Petition for review denied

Kennard, J., was absent and did not
participate.

S106424A091232 First Appellate District,
Division Four

PEOPLE v. SAVAGE

Petition for review denied

Kennard, J., was absent and did not
participate.

S106464B151146 Second Appellate District,
Division Three

C. (HUGO), IN RE

Petition for review denied

Kennard, J., was absent and did not
participate.
Werdegar, J., and Moreno, J., are of the
opinion the petition should be granted.

S106500G028897 Fourth Appellate District,
Division Three

O. (NICOLE), IN RE ADOPTION

Petition for review & publication request denied

Kennard, J., was absent and did not
participate.

S106516E028953 Fourth Appellate District,
Division Two

PEOPLE v. WALKER

Petition for review denied

Kennard, J., was absent and did not
participate.

S106543A094513 First Appellate District,
Division Three

PEOPLE v. YOUNG, SR.

Petition for review denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106544

B152259 Second Appellate District,
Division Seven

MANDUJANO v. MINNESOTA MINING
Petition for review denied

Kennard, J., was absent and did not
participate.

S106547

G026878 Fourth Appellate District,
Division Two

PEOPLE v. EDWARDS
Petition for review denied

Kennard, J., was absent and did not
participate.

S106596

B150180 Second Appellate District,
Division Seven

PEOPLE v. JOHNSON
Petition for review denied

Kennard, J., was absent and did not
participate.

S106621

B151013 Second Appellate District,
Division Four

PEOPLE v. SHELTON
Petition for review denied

Kennard, J., was absent and did not
participate.

S106624

A085623 First Appellate District,
Division Three

PEOPLE v. RADONICH
Petition for review denied

Kennard, J., was absent and did not
participate.

S106627

A092370 First Appellate District,
Division One

PEOPLE v. JOHNSON
Petition for review denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106630

C038428 Third Appellate District

STAPLES v. FRANCHISE TAX

Petition for review & publication request denied

Kennard, J., was absent and did not
participate.

S106634B149062 Second Appellate District,
Division Three**PEOPLE v. PERALTA**

Petition for review denied

Kennard, J., was absent and did not
participate.

S106638E028799 Fourth Appellate District,
Division Two**PEOPLE v. OPPELT**

Petition for review denied

Kennard, J., was absent and did not
participate.

S106639B151904 Second Appellate District,
Division Six**PEOPLE v. DAVIS**

Petition for review denied

Kennard, J., was absent and did not
participate.

S106642

F038746 Fifth Appellate District

PEOPLE v. TARR

Petition for review denied

Kennard, J., was absent and did not
participate.

S106648B146989 Second Appellate District,
Division Seven**PEOPLE v. LEE**

Petition for review denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106653

A098351 First Appellate District,
Division Five

SCOTT v. S.C. (PEOPLE)

Petition for review and application for stay denied

Kennard, J., was absent and did not
participate.

S106654

B147826 Second Appellate District,
Division Four

PEOPLE v. GALVAN

Petition for review denied

Kennard, J., was absent and did not
participate.

S106656

B151420 Second Appellate District,
Division Six

PEOPLE v. PUENTES

Petition for review denied

Kennard, J., was absent and did not
participate.

S106675

A098507 First Appellate District,
Division Five

BROWN (HILTON LAWRENCE), IN RE

Petition for review denied

Kennard, J., was absent and did not participate.

S106682

A095182 First Appellate District,
Division Five

PEOPLE v. JAMES

Petition for review denied

Kennard, J., was absent and did not
participate.

S106700

E031547 Fourth Appellate District,
Division Two

GALINDO (RICARDO) ON H.C.

Petition for review denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106702

F035714 Fifth Appellate District

PEOPLE v. MOLINA

Petition for review denied

Baxter, J., was recused and did not participate.
Kennard, J., was absent and did not
participate.

S106708

F036067 Fifth Appellate District

PEOPLE v. ROMAN

Petition for review denied

Baxter, J., was recused and did not participate.
Kennard, J., was absent and did not
participate.

S106709

F035326 Fifth Appellate District

PEOPLE v. CULTON

Petition for review denied

Kennard, J., was absent and did not
participate.

S106711A095635 First Appellate District,
Division Five

R. (CARLOS), IN RE

Petition for review denied

Kennard, J., was absent and did not
participate.

S106712E028960 Fourth Appellate District,
Division Two

PEOPLE v. BAKER

Petition for review denied

Kennard, J., was absent and did not
participate.

S106713D038426 Fourth Appellate District,
Division One

PEOPLE v. VAEAO

Petition for review denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106715

A098392 First Appellate District,
Division Two

MASTERCARD INTERNATIONAL, INC. v. S.C.
(SCHWARTZ)

Petition for review denied

Kennard, J., was absent and did not
participate.

S106717

E028736 Fourth Appellate District,
Division Two

PEOPLE v. McFADDEN

Petition for review denied

Kennard, J., was absent and did not
participate.

S106724

B146554 Second Appellate District,
Division Four

PEOPLE v. GOINS

Petition for review denied

Kennard, J., was absent and did not
participate.

S106730

H022711 Sixth Appellate District

PEOPLE v. PARTRIDGE

Petition for review denied

Kennard, J., was absent and did not
participate.

S106747

B146781 Second Appellate District,
Division Two

PEOPLE v. ROSALES

Petition for review denied

Kennard, J., was absent and did not
participate.

S106750

A094944 First Appellate District,
Division Three

PEOPLE v. WIGGINS

Petition for review denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106751

B148478 Second Appellate District,
Division Six

PEOPLE v. VARGAS

Petition for review denied

Kennard, J., was absent and did not
participate.

S106757

C038631 Third Appellate District

PEOPLE v. KUBBY

Petition for review denied

Kennard, J., was absent and did not
participate.

S106758

F037015 Fifth Appellate District

PEOPLE v. WADE

Petition for review denied

Kennard, J., was absent and did not
participate.

S106764

H022116 Sixth Appellate District

PEOPLE v. LOPEZ

Petition for review denied

Kennard, J., was absent and did not
participate.

S106768

A095206 First Appellate District,
Division Two

P. (RAFAEL), IN RE

Petition for review & depublication request denied

Kennard, J., was absent and did not
participate

S106772

E027893 Fourth Appellate District,
Division Two

PEOPLE v. BARKER

Petition for review denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106778

A092478 First Appellate District,
Division One

LYNCH, GILARDI & GRUMMER v.
HODGE FOOD
Petition for review denied

Kennard, J., was absent and did not
participate.

S106779

F037420 Fifth Appellate District

PEOPLE v. GOREE
Petition for review denied

Kennard, J., was absent and did not
participate.

S106780

E030271 Fourth Appellate District,
Division Two

PEOPLE v. WARD
Petition for review denied

Kennard, J., was absent and did not
participate.

S106782

F037017 Fifth Appellate District

PEOPLE v. GOUMRIKIAN
Petition for review denied

Kennard, J., was absent and did not
participate.

S106786

F038017 Fifth Appellate District

PEOPLE v. HARTLEY
Petition for review denied

Kennard, J., was absent and did not
participate.

S106787

B143388 Second Appellate District,
Division Two

PEOPLE v. LINES
Petition for review denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106789

B150413 Second Appellate District,
Division Four

PEOPLE v. DAVIS

Petition for review denied

Kennard, J., was absent and did not
participate.

S106792

H021352 Sixth Appellate District

PEOPLE v. OKEEFE

Petition for review & publication request denied

Kennard, J., was absent and did not
participate.

S106796

E029354 Fourth Appellate District,
Division Two

PEOPLE v. OATES

Petition for review denied

Kennard, J., was absent and did not
participate.
Werdegar, J., and Brown, J., are of the opinion
the petition should be granted.

S106797

B152027 Second Appellate District,
Division Two

PEOPLE v. BALSZ

Petition for review denied

Kennard, J., was absent and did not
participate.

S106801

B147836 Second Appellate District,
Division Eight

PEOPLE v. ANTHONY

Petition for review denied

Kennard, J., was absent and did not
participate.

S106804

D037051 Fourth Appellate District,
Division One

SCOTT v. STERIS LABORATORIES

Petition for review denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106805

F037649 Fifth Appellate District

PEOPLE v. CHAVEZ

Petition for review denied

Kennard, J., was absent and did not
participate.

S106806A094128 First Appellate District,
Division Five

PEOPLE v. ROBINSON

Petition for review denied

Kennard, J., was absent and did not
participate.

S106831B150613 Second Appellate District,
Division Five

PEOPLE v. MEARNS

Petition for review denied

Kennard, J., was absent and did not
participate.
Brown, J., is of the opinion the petition should
be granted.

S106844B145123 Second Appellate District,
Division Three

PEOPLE v. MCKELRY

Petition for review denied

Kennard, J., was absent and did not
participate.

S106850

C036489 Third Appellate District

PEOPLE v. BARTON

Petitions for review denied

Kennard, J., was absent and did not
participate.

S106851D036646 Fourth Appellate District,
Division One

PEOPLE v. GENZLER

Petition for review denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106860

E029203 Fourth Appellate District,
Division Two

PEOPLE v. ESPINDOLA

Petition for review denied

Kennard, J., was absent and did not
participate.

S106865

E029149 Fourth Appellate District,
Division Two

PEOPLE v. VIGIL

Petition for review denied

Kennard, J., was absent and did not
participate.

S106886

F036959 Fifth Appellate District

PEOPLE v. BURNS

Petition for review denied

Kennard, J., was absent and did not
participate.

S106893

B153458 Second Appellate District,
Division One

PEOPLE v. RODRIGUEZ

Petition for review denied

Kennard, J., was absent and did not
participate.

S106902

B148622 Second Appellate District,
Division Four

N. (HELEN M.), CONSERVATORSHIP OF

Petition for review denied

Kennard, J., was absent and did not
participate.

S106904

C036918 Third Appellate District

PEOPLE v. ROMERO

Petition for review denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106914

B138200 Second Appellate District,
B140405 Division One

DRUM v. INTERINSURANCE EXCHANGE
Petition for review denied

Kennard, J., was absent and did not
participate.

S106928

B146581 Second Appellate District,
Division Three

SILVER v. TRACY BOARTWRIGHT HOME
INSPECTION INC.
Petition for review denied

Kennard, J., was absent and did not
participate
Baxter, J., and Brown, J., are of the opinion
the petition should be granted.

S107209

C041178 Third Appellate District

FORD (JOHN RUSSELL) ON H.C.
Petition for review denied

Kennard, J., was absent and did not
participate.

S107620

B156777 Second Appellate District,
Division Six

B. (JOSHUA M.), IN RE
Petition for review and application for stay denied

S097137

WILLIS (CHRISTIAN) ON H.C.
Petition for writ of habeas corpus denied

Kennard, J., was absent and did not
participate.

S099985

MCNEIL ON H.C.
Petition for writ of habeas corpus denied

Kennard, J., was absent and did not participate
Werdegar, J., and Moreno, J., are of the
opinion an order to show cause should issue.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S100246

WILLIAMS (MICHAEL A.) ON H.C.
Petition for writ of habeas corpus denied.

Kennard, J., was absent and did not
participate.

S101109

HENRY ON H.C.
Petition for writ of habeas corpus denied

Kennard, J., was absent and did not
participate.

S101499

BLUFORD (LARRY D.) ON H.C.
Petition for writ of habeas corpus denied

Kennard, J., was absent and did not
participate.

S102135

AGUIRRE ON H.C.
Petition for writ of habeas corpus denied

Kennard, J., was absent and did not
participate.

S102422

RUIZ ON H.C .
Petition for writ of habeas corpus denied

Kennard, J., was absent and did not
participate.

S103047

BURGOON ON H.C.
Petition for writ of habeas corpus denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S103104

BREATLOVE ON H.C.

Petition for writ of habeas corpus denied

Kennard, J., was absent and did not participate.

S103108

JENSEN ON H.C.

Petition for writ of habeas corpus denied

Kennard, J., was absent and did not participate.

S104628

MILLER ON H.C.

Petition for writ of habeas corpus denied

Kennard, J., was absent and did not participate.

S104643

KINNAMON (TODD) ON H.C.

Petition for writ of habeas corpus denied with citation(s)

Kennard, J., was absent and did not participate.

S104678

ADAMS (JIMMIE LEE) ON H.C.

Petition for writ of habeas corpus denied with citation(s)

Kennard, J., was absent and did not participate.

S104686

HENDRIX ON H.C.

Petition for writ of habeas corpus denied

Kennard, J., was absent and did not participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S104745

SMITH (VERNELL) ON H.C.

Petition for writ of habeas corpus denied with citation(s)

Kennard, J., was absent and did not participate.

S104761

JETSON ON H.C.

Petition for writ of habeas corpus denied

Kennard, J., was absent and did not participate.

S104762

MCKINNEY (TRACY L.) ON H.C.

Petition for writ of habeas corpus denied with citation(s)

Kennard, J., was absent and did not participate.

S104763

MCINTYRE ON H.C.

Petition for writ of habeas corpus denied

Kennard, J., was absent and did not participate.

S104797

CHAMBERS ON H. C.

Petition for writ of habeas corpus denied

Kennard, J., was absent and did not participate.

S104799

BLAINE (VANCE) ON H.C.

Petition for writ of habeas corpus denied with citation(s)

Kennard, J., was absent and did not participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S104801

MACK (MAURICE STACY) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

Kennard, J., was absent and did not
participate.

S104806

HAYES (WILEY), ON H.C.
Petition for writ of habeas corpus denied

Kennard, J., was absent and did not
participate.

S104811

HARRIS (DEVONTE BERNARD) ON H.C.
Petition for writ of habeas corpus denied

Kennard, J., was absent and did not
participate.

S104836

WILLIAMS (EDWIN) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

Kennard, J., was absent and did not
participate.

S104847

WILLIAMS (JONATHAN L.) ON H.C.
Petition for writ of habeas corpus denied with citations

Kennard, J., was absent and did not
participate.

S105892

ADAMS (JIMMY) ON H.C.
Petition for writ of habeas corpus denied

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S107454

S. (MICHAELAH) ON H.C.

The request to file exhibits under seal is granted;
petition for writ of habeas corpus & stay denied

Kennard, J., was absent and did not
participate.

George, C.J. was absent and did not
participate.

S099305

B145180 Second Appellate District,
Division Four

GILBERT v. TRUSTEES OF CALIFORNIA
STATE UNIVERSITY

Publication request denied (case closed)

Kennard, J., was absent and did not
participate.

S101318

B140649 Second Appellate District,
Division Two

PEOPLE v. INTERNATIONAL FIDELITY
INSURANCE CO.

Publication request denied (case closed)

Kennard, J., was absent and did not
participate.

S101883

D037541 Fourth Appellate District,
Division One

CORCORAN v. CITY OF HUNTINGTON BEACH

Publication request denied (case closed)

Kennard, J., was absent and did not
participate.

S102458

A093520 First Appellate District,
Division Two

ANTONINI v. SHAIKH

Publication request denied (case closed)

Kennard, J., was absent and did not
participate.

S103242

B144464 Second Appellate District,
Division Three

SOLOKI v. CITY OF LOS ANGELES

Publication request denied (case closed)

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S103832

C036341 Third Appellate District

GEORGE v. MONEY STORE

Depublication request denied (case closed)

Kennard, J., was absent and did not
participate.

S104087G028189 Fourth Appellate District,
Division Three**GROUND SYSTEMS v. P.U.C. (MITCHELL)**

Publication request denied (case closed)

Kennard, J., was absent and did not
participate.

S104403G026344 Fourth Appellate District,
Division Three**COMMONWEALTH ENERGY CORP. v.
CHAPPELL**

Publication request denied (case closed)

Kennard, J., was absent and did not
participate.

S105552E029796 Fourth Appellate District,
Division Two**MCGREAL v. GOLDEN STATE MORTGAGE**

Publication request denied (case closed)

Kennard, J., was absent and did not
participate.

S106111A092816 First Appellate District,
Division Three**DOVAL v. SHELL OIL COMPANY**

Publication request denied (case closed)

Kennard, J., was absent and did not
participate.

S106523E029793 Fourth Appellate District,
Division Two**HASTINGS v. HASTINGS**

Publication request denied (case closed)

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S106575

B141819 Second Appellate District,
Division Seven

VASILOVICH v. BLANEY

Publication request denied (case closed)

Kennard, J., was absent and did not participate.

S106932

D038635 Fourth Appellate District,
Division One

SCOTTSDALE INSURANCE v. ESSEX
INSURANCE

Depublication request denied (case closed)

Kennard, J., was absent and did not participate.

S107115

A095521 First Appellate District,
Division Five

ALEX R. THOMAS COMPANY v. MUTUAL
SERVICE CASUALTY INSURANCE

Depublication request denied (case closed)

Kennard, J., was absent and did not participate.

00M07614 Appellate Division
Sacramento S.C.

PEOPLE v. JENNINGS (MICHAEL LEE)
Order filed

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed January 23, 2002, which appears at 97 Cal.App.4th Supp.12. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

Kennard, J., was absent and did not participate.

S093765

PEOPLE v. GAY (KENNETH E.)
Record correction granted

Appellant's Motion to Correct the Record on Appeal, filed May 22, 2002, is granted in part and denied in part.

The motion is granted in the following respects:

1. The clerk of this court is hereby directed to

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

make the following changes by interlineation:

- a. Page 72, lines 27-28: "that. I think . . .
" is corrected to "that. [para.] The Court:
I think . . .";
- b. Page 1244, line 17: the speaker "Mr.
Lessum:" is corrected to "Mr. Lezin:";
- c. Page 2728, line 15: "page 465" is
corrected to "page 475";
- d. Page 3585, line 15: "Q. In other words,
. . . ." is corrected to delete the "Q.";
- e. Page 3992, line 7: "side" is corrected to
"size";
- f. Page 4867, line 16: "attempt" is
corrected to "contempt."

2. The Superior Court of Los Angeles County is hereby directed (1) to conduct appropriate proceedings to determine which prison records relating to Raynard Cummings the superior court reviewed in camera on June 16, 2000 (see R.T. 393-396); (2) to cause such records to be copied; (3) to cause such copies to become part of a supplemental clerk's transcript; and (4) to cause such transcript to be prepared, delivered, and transmitted under seal as specified in rules 35 and 39.50 of the California Rules of Court. (See Cal. Rules of Court, rule 33.5(b)(2).)

In all other respects, the motion is denied.

George, C.J., was recused and did not participate.

Kennard, J., was absent and did not participate

S011323

PEOPLE v. WELCH (DAVID ESCO)
Order filed

Good cause appearing, the application of counsel for permission to withdraw as attorney of record for condemned prisoner David Esco Welch, filed June 10, 2002, is granted.

The order appointing George Boisseau as counsel of record for condemned prisoner David Esco Welch, filed May 1, 1992, is

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

hereby vacated.

Stephanie Ross and Wesley A. Van Winkle are hereby appointed attorneys of record for condemned prisoner David Esco Welch, the former as lead counsel and the latter as associate counsel.

Counsel are appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

Kennard, J., was absent and did not participate.

S032832

PEOPLE v. MARTINEZ (OMAR F.)
Order filed

Appellant's application to file supplemental opening brief is granted. Any supplemental respondent's brief is to be served and filed on or before July 19, 2002. No extension will be granted.

S101405

RAZAK, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not participate.

S102479

ACCUSATION OF SELETOS
Petition denied (Accusation)

Kennard, J., was absent and did not participate.

S103277

RIVERA, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S103356

WILLIBY, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S103425

SHIRLEY, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S103666

TALLITI, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S103965

SPIEGEL, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S103968

VERGARAY, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S104003

SHALABY, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S104037

GROCHOWSKI, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S104056

PRICE, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S104143

ELGHEMBRI, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S104145

ABRAMS, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S104149

MAGBUAL, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S104167

HOLMES, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 19, 2002
SAN FRANCISCO, CALIFORNIA**

S104198

ANDREWS, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S104226

MOHAJER, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S104233

JOHNSON, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S104239

TURNER, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S104288

HEPNER, ACCUSATION OF
Petition denied (Accusation)

Kennard, J., was absent and did not
participate.

S105056

STUART ON DISCIPLINE
Petition for writ of review denied; recommended
discipline Imposed.

Kennard, J., was absent and did not
participate.